

REMARKS

Claims 1, 3, 5-7, 9-12, 20, and 22 are pending in the instant application. Claims 7, 9, and 10 have been withdrawn by way of this amendment. Claim 20 has been amended to correct a typographical error. No new material has been added by way of this amendment.

In the Office Action dated May 9, 2008, the Examiner required restriction under 35 U.S.C. § 121 and 372 between the following groups of claims:

- Group I - Claims 1, 3, 5, 6, 11 (in part), 12 (in part), 20 (in part), and 22 (in part), drawn to a cell line which expresses on the cell surface TF, MUC1, and glycophorin and a method of using the cell.
- Group II - Claims 7, 11 (in part), 12 (in part), 20 (in part), and 22 (in part), drawn to a lysate, molecule or mixture of molecules obtained from the cell line of Group I and a method of using the lysate, molecule or mixture.
- Group III - Claims 9, 10, 11 (in part), 12 (in part), 20 (in part), and 22 (in part), drawn to a dendritic cell loaded with the lysate, molecule or mixture of Group I.

Applicants provisionally elect to prosecute the claims of Group I, Claims 1, 3, 5, 6, 11 (in part), 12 (in part), 20 (in part), and 22 (in part), drawn to a cell line which expresses on the cell surface TF, MUC1, and glycophorin and a method of using the cell, without traverse. Accordingly, Claims 7, 9, and 10 have been withdrawn. Applicants reserve the right to prosecute the claims of the non-elected groups in one or more divisional applications pursuant to 35 U.S.C. § 121.

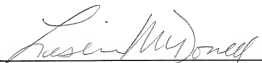
In addition, the Examiner required an election of one of the species of cancer types recited in Claim 22. Applicants respectfully submit that the election requirement is improper, and traverse the requirement on the grounds that the type of cancer is irrelevant to the practice of the invention. Treatment or prevention of any of the types of cancer species recited in Claim 22 does not require a unique special technical feature not shared by the other species, contrary to the Examiner's assertion otherwise. Because no unique method of practicing the invention is therefore required for any of the recited cancers, Applicants submit that the listed cancers are not patentably distinct species. Though the election requirement is traversed, Applicants provisionally elect lymphoma. Claim 22 is generic to the elected species.

Applicant believes that the extension of time required for entry of this response is accounted for in the Petition and accompanying fee payment filed concurrently with this response. However, in the event of an error, please grant any extensions of time required to enter this response and charge any additional required fees to deposit account 06-0916.

Respectfully submitted,

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